(21)

HIGH COURT OF CHHATTISGARH AT BILASPUR
W. P. (S) No. 4075 of 2007

Petitioner 1 Dauwa Ram Thakur, Aged 43 Years, S/o Ranban Singh, Assistant Teacher, Primary School, Pandatah, Distt. Rajnandgaon C.G.

2. Smt. Radhiya Dadsena, Aged 32 Years, W/o Brijlal Dadsena, Assistant Teacher, Primary Dandadah, Distt. Rajnandgaon.

Versus

Respondent 1. The State Government of Chhattisgarh, Through the Secretary, Education Department, D.K.S. Bhawan, Raipur (C.G.)

2. The District Education Officer, Rajnandgaon (C.G)

SB: Hon'ble Mr. Justice Satish K. Agnihotri.

Shri Ajay Shrivastava, Advocate for the Petitioners.

Shri Arvind Dubey, Panel lawyer for the State/respondents.

ORDER

(Passed on this 13th day of July, 2007)

1. Learned counsel appearing for the petitioners as well as learned counsel appearing for the respondents/State jointly submit that the fact and question of law involved in the present petition are the same to that of in **Yashwant Kumar Bharadwaj Vs. Municipal Corporation, Durg and another** (2006 (II) MPJR-CG 96), which has been disposed of vide order dated 3.4.2006.

2. In subsequent cases, i.e. Writ Petition (S) No. 4130 of 2005 (Gopesh Kumar Verma Vs. The State Govt. of Chhattisgarh and another) and other connected matters, decided by this Court on

15.12.2006, pursuant to the memo dated 28.1.1995, issued by the Secretary, Board of Secondary Education, Bhopal and the prospectus of Diploma in Education Examination, it was clarified that the nomenclature of the Basic Training Institute i.e. B.T.I. has been changed and renamed as Diploma in Education i.e. D.Ed. Accordingly, the D.Ed. Certificate holders are also covered by the decision in Writ Petition (S) No. 4130 of 2005.

3. Accordingly, the writ petition is allowed in terms of the order passed in the case of Yashwant Kumar Bharadwaj Vs. Municipal Corporation, Durg and another (supra), subject to verification of the fact asto whether the petitioners have acquired D.Ed. Examination Certificate on their own expenses as per the circulars dated 24.12.1998 and 1.3.1999 and further whether they have been paid two advance increments or not. No order as to costs.

Sd/-
Satish K. Agnihotri
Judge

Thakur